IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.4415 of 2008

MAYA DEVI
Versus
STATE OF BIHAR

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5. 31.7.2008 Heard the learned counsel for the petitioner and the State.

The petitioner is apprehending her arrest in connection with Dariyapur P.S. Case No.46/07 for the alleged offences registered under section 304B/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the allegation is of killing the sister of the informant. However, the allegations against the husband of the deceased are to the effect that the husband used to remain in drunken state most of the times, which led to the dispute between the husband and the wife. Learned counsel further submits that during investigation the witnesses have stated to the effect that on the death of the deceased, the petitioner and her husband were informed at Delhi by the husband of the deceased and, as such, implication of this petitioner in killing of the deceased is not justified.

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Learned A.P.P. on perusal of the case diary is not in a position to refute the above submissions of the learned counsel for the petitioner.

Considering the above, it is directed that the petitioner Maya Devi, in the event of her arrest or surrender in connection with Dariyapur P.S. Case No.46/07, within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

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PNM **(Shailesh Kumar Sinha, J.)**